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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,203	05/05/2006	Christian De Godzinsky	PLA078-820712	4024
21831 7590 12/21/2007 WOLF BLOCK SCHORR AND SOLIS-COHEN LLP 250 PARK AVENUE NEW YORK, NY 10177			EXAMINER SWARTHOUT, BRENT	
			ART UNIT 2612	PAPER NUMBER
			NOTIFICATION DATE 12/21/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO@WOLFBLOCK.COM

Office Action Summary

Application No.

10/561,203

Applicant(s)

DE GODZINSKY, CHRISTIAN

Examiner

Brent A. Swarthout

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12-19-05;8-21-06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

1. The disclosure is objected to because of the following informalities: in claim 19, line 9 "magnitude" should not have a capital "I".

Appropriate correction is required.

2. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 11,13,15-16 and 16-17; claim 2, lines 3,4; claim 3, line 4; claim 4, lines 4,5; claim 6, lines 4,5; claim 7, line 3; claim 8, line 4; claim 12, line 3; claim 13, line 4; claim 14, lines 3-4; claim 19, lines 12,13; claim 21, line 4; and claim 22, lines 3,6 and 7 "the said" has no antecedent basis.

In claim 6, line 3 "e.g." is indefinite.

In claim 15, line 3 "the outermost LED" has no antecedent basis.

In claim 16, line 4 "such as" is indefinite.

In claim 17, lines 4-5 "at least -1 LED" is indefinite.

In claim 20, line 3 "e.g." is indefinite.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muthu.

Muthu discloses an LED operation light device comprising plural power source drivers 11,13 and 15 and main source 9, at an LED array (col. 1, line 38; col. 2, lines 62-67) producing light of different colors at different wavelengths (col. 1, line 39; col. 1, line 16), color temperature measuring means (col. 1, lines 43-44,61-62; col. 3, lines 12-16), and a control means 34 for controlling power source means 11,13,15 based on the measurement data received from the measurement means (col. 1, line 65- col. 2, line 1).

Although Muthu does not specifically state that two LED component units are used, since Muthu teaches that an array of LED units are utilized, and that such array includes a plurality of LEDs in each of a plurality of colors, one of ordinary skill in the art would have found it obvious that such an array would have included at least two LED components.

Regarding claim 2, Muthu teaches desirability of measuring intensity of emitted light (col. 3, line 7).

Regarding claim 3, Muthu teaches means 33 for sensing temperature of LEDs (col. 3, lines 12-16).

Regarding claim 4, Muthu teaches use of controller which is equivalent to a logic circuit (Fig. 1, col. 3, line 14).

Regarding claim 5, Muthu teaches use of RGB LED components (col. 2, line 67- col. 3, line 2).

Regarding claim 6, since Muthu teaches having LEDs in an array, choosing to place LEDs in a row would have been obvious, since arrays are typically arranged in rows and columns.

Regarding claim 7, Muthu teaches outputting warm and cool shades of white light (col. 2, lines 3-5).

Regarding claim 8, array components are commonly connected in series.

Regarding claim 9, since Muthu teaches plural LED driver power sources for controlling power output to the LEDs and that it is well-known that light output from LEDs does not vary uniformly with temperature for each color (col. 1, lines 24-25), and since Muthu further states that measured values are fed back to controller to control lights by changing power level (col. 1, lines 65-67), it would have been obvious to one of ordinary skill in the art to have each color separately controlled by an adjustable power source driver.

Regarding claim 10, Muthu teaches integrating, or connecting LED power sources 11,13 and 15 to LEDs (Fig. 1).

Regarding claim 11, choosing a particular input power level for an LED would have been an obvious manner of intended use, depending on how bright an output was desired, which would have depended on its application.

Regarding claim 12, Muthu teaches desirability of using constant current source 9 (col. 4, lines 33-35).

Regarding claim 13, use of collimators for illumination devices is well known in the art in order to direct light in a desired direction.

Regarding claim 15, choosing to have a specific angle between LED sides would have been obvious, merely depending on whether it was desired to have a light directed in a parallel beam or in a diverging beam to cover more area.

Regarding claim 16, since Muthu teaches detector for sensing light output from Red, green and blue LEDs, choosing to use a RGB sensor would have been obvious, since such is known for sensing light from all three colors. Using lens/reflector components is well known in the art for amplifying light output and directing light in a desired direction.

Regarding claim 17, Muthu teaches plural LEDs and plural power sources (Fig. 1; col. 2, lines 62-67).

Regarding claim 18, power drivers 11, 13 and 15 provide adjusted power depending on sensor feedback (col. 1, line 65 – col. 2, line 1).

Regarding claim 21, Muthu teaches desirability of measuring temperature of heat sink (col. 5, line 15).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shur, Berman, Kennedy, Camm, May and Ducharme disclose LED display systems.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A. Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-Th from 6:00 to 3:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Brent A Swarthout
Primary Examiner
Art Unit 2612

BRENT A. SWARTHOUT
PRIMARY EXAMINER